IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Revision No.262 of 2006

DATE OF DECISION:17.11.2006

Manpreet Singh .....Petitioner

Versus

State of Punjab .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri B.S.Bhalla, Advocate
for the petitioner.

Shri N.S.Gill, AAG, Punjab.

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The petitioner has filed this revision petition against the order dated 25.11.2005 passed by Special Judge, Faridkot, whereby, his application for discharge has been dismissed.

Counsel for both the parties have agreed that this petition be disposed of in terms of the order dated 11.10.2006 passed by this Court in Crl. Misc. No.34606-M of 2003, which is in the following terms:-

> "The petitioner has filed this petition under Section 482 Cr.P.C. for quashing of an FIR No. 18 dated 4.2.2003 under Sections 22/25/61/85 of the NDPS Act, registered at Police Station, Zira.
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> In Crl. Revn. No. 1834 of 2003, the following stand was taken by the State of Punjab with regard to the cases registered under the NDPS Act against the chemists:-
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> At the outset counsel for the State submitted that issue whether the petitioners are liable to be prosecuted was reviewed by Committee comprising of Chief Secretary, Advocate General and DGP, Punjab. Representation being

made by the Punjab Chemist Association, SSPs have been directed to take care that no false case was registered against any Genuine Chemist/Druggist unless the alleged Act fell under the provisions of the Act. It was also decided to review all pending cases of the Chemists by the Committee headed by DIG (Crime) with two SPs of the Crime Branch and the State will not proceed against any Chemist, who was selling Drugs on prescription as medicines. Whether or not the Chemist were genuinely selling medicines against prescription will be reviewed.

Counsel for the respondent-State states that in view of the above stand taken by the Punjab State in other cases, case of the petitioner will also be reviewed by the Committee constituted for the purpose headed by the DIG (Crime) with two SPs of Crime Branch within a period of two months and according to the decision taken by the said committee, the case of the petitioner further will be proceeded in accordance with law. After the said decision of the Committee, if the petitioner will have any grouse, it will be open for him to again approach the Court ....."

Disposed of accordingly.

November 17, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**